United Nations S/2016/1100

Security Council

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Malaysia, New Zealand, Senegal and Bolivarian Republic of Venezuela: draft resolution

The Security Council,

Reaffirming its relevant resolutions, including resolutions 242 (1967), 338 (1973), 446 (1979), 452 (1979), 465 (1980), 476 (1980), 478 (1980), 1397 (2002), 1515 (2003), and 1850 (2008),

Guided by the purposes and principles of the Charter of the United Nations, and reaffirming, *inter alia*, the inadmissibility of the acquisition of territory by force,

Reaffirming the obligation of Israel, the occupying Power, to abide scrupulously by its legal obligations and responsibilities under the Fourth Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949, and *recalling* the advisory opinion rendered on 9 July 2004 by the International Court of Justice,

Condemning all measures aimed at altering the demographic composition, character and status of the Palestinian Territory occupied since 1967, including East Jerusalem, including, *inter alia*, the construction and expansion of settlements, transfer of Israeli settlers, confiscation of land, demolition of homes and displacement of Palestinian civilians, in violation of international humanitarian law and relevant resolutions,

Expressing grave concern that continuing Israeli settlement activities are dangerously imperilling the viability of the two-State solution based on the 1967 lines,

Recalling the obligation under the Quartet Roadmap, endorsed by its resolution 1515 (2003), for a freeze by Israel of all settlement activity, including "natural growth", and the dismantlement of all settlement outposts erected since March 2001,

Recalling also the obligation under the Quartet roadmap for the Palestinian Authority Security Forces to maintain effective operations aimed at confronting all those engaged in terror and dismantling terrorist capabilities, including the confiscation of illegal weapons,

Condemning all acts of violence against civilians, including acts of terror, as well as all acts of provocation, incitement and destruction,

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Reiterating its vision of a region where two democratic States, Israel and Palestine, live side by side in peace within secure and recognized borders,

Stressing that the status quo is not sustainable and that significant steps, consistent with the transition contemplated by prior agreements, are urgently needed in order to (i) stabilize the situation and to reverse negative trends on the ground, which are steadily eroding the two-State solution and entrenching a one-State reality, and (ii) to create the conditions for successful final status negotiations and for advancing the two-State solution through those negotiations and on the ground,

1. *Reaffirms* that the establishment by Israel of settlements in the Palestinian territory occupied since 1967, including East Jerusalem, has no legal validity and constitutes a flagrant violation under international law and a major obstacle to the achievement of the two-State solution and a just, lasting and comprehensive peace;

2. *Reiterates* its demand that Israel immediately and completely cease all settlement activities in the occupied Palestinian territory, including East Jerusalem, and that it fully respect all of its legal obligations in this regard;

3. *Underlines* that it will not recognize any changes to the 4 June 1967 lines, including with regard to Jerusalem, other than those agreed by the parties through negotiations;

4. *Stresses* that the cessation of all Israeli settlement activities is essential for salvaging the two-State solution, and calls for affirmative steps to be taken immediately to reverse the negative trends on the ground that are imperilling the two-State solution;

5. *Calls* upon all States, bearing in mind paragraph 1 of this resolution, to distinguish, in their relevant dealings, between the territory of the State of Israel and the territories occupied since 1967;

6. *Calls* for immediate steps to prevent all acts of violence against civilians, including acts of terror, as well as all acts of provocation and destruction, calls for accountability in this regard, and calls for compliance with obligations under international law for the strengthening of ongoing efforts to combat terrorism, including through existing security coordination, and to clearly condemn all acts of terrorism;

7. *Calls upon* both parties to act on the basis of international law, including international humanitarian law, and their previous agreements and obligations, to observe calm and restraint, and to refrain from provocative actions, incitement and inflammatory rhetoric, with the aim, *inter alia*, of de-escalating the situation on the ground, rebuilding trust and confidence, demonstrating through policies and actions a genuine commitment to the two-State solution, and creating the conditions necessary for promoting peace;

8. *Calls upon* all parties to continue, in the interest of the promotion of peace and security, to exert collective efforts to launch credible negotiations on all final status issues in the Middle East peace process and within the time frame specified by the Quartet in its statement of 21 September 2010;

9. *Urges in this regard* the intensification and acceleration of international and regional diplomatic efforts and support aimed at achieving, without delay a comprehensive, just and lasting peace in the Middle East on the basis of the relevant United Nations resolutions, the Madrid terms of reference, including the principle of land for peace, the Arab Peace Initiative and the Quartet Roadmap and an end to the Israeli occupation that began in 1967; and *underscores* in this regard the importance of the ongoing efforts to advance the Arab Peace Initiative, the initiative of France for the convening of an international peace conference, the recent efforts of the Quartet, as well as the efforts of Egypt and the Russian Federation;

10. *Confirms its determination* to support the parties throughout the negotiations and in the implementation of an agreement;

11. *Reaffirms* its determination to examine practical ways and means to secure the full implementation of its relevant resolutions;

12. *Requests* the Secretary-General to report to the Council every three months on the implementation of the provisions of the present resolution;

13. *Decides* to remain seized of the matter.

United Nations S/2016/1101

Security Council

Distr.: General
30 December 2016

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Letter dated 19 December 2016 from the Chair of the Security Council Committee established pursuant to resolution 1988 (2011) addressed to the President of the Security Council

I have the honour to transmit herewith the report of the Security Council Committee established pursuant to resolution 1988 (2011), containing an account of the Committee's activities from 1 January to 31 December 2016. The report, which was approved by the Committee, is being submitted in accordance with the note by the President of the Security Council of 29 March 1995 (S/1995/234).

I should be grateful if the present letter and the report were brought to the attention of the members of the Security Council and issued as a document of the Council.

(*Signed*) Gerard van **Bohemen**
Chair
Security Council Committee established
pursuant to resolution 1988 (2011)

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Report of the Security Council Committee established pursuant to resolution 1988 (2011)

I. Introduction

1. The present report of the Security Council Committee established pursuant to resolution 1988 (2011) covers the period from 1 January to 31 December 2016.

2. The Bureau of the Committee consisted of Gerard van Bohemen (New Zealand) as Chair and the representatives of the Russian Federation and Uruguay as Vice-Chairs.

II. Background

3. By its resolution 1267 (1999), the Security Council imposed limited air and financial embargoes to compel the Taliban to cease providing sanctuary and training to terrorists, including Usama bin Laden. The regime was modified in resolutions 1333 (2000) and 1390 (2002) to impose three targeted measures (an asset freeze, a travel ban and an arms embargo) against individuals and entities associated with the Taliban and Al-Qaida. Exemptions to the asset freeze and the travel ban are available. On 17 June 2011, the Council unanimously adopted resolutions 1988 (2011) and 1989 (2011), by which it split the regime in two, establishing one committee for Al-Qaida and the other for the Taliban. The sanctions measures against the Taliban and associated individuals, groups, undertakings and entities were imposed in resolution 1988 (2011), followed by resolutions 2082 (2012), 2160 (2014) and 2255 (2015).

4. By its resolution 2255 (2015), adopted on 21 December 2015, the Security Council renewed the mandate of the Analytical Support and Sanctions Monitoring Team pursuant to Security Council resolutions 1526 (2004) and 2253 (2015) concerning Islamic State in Iraq and the Levant (ISIL) (Da'esh), Al-Qaida and the Taliban and associated individuals and entities until 17 December 2019. In its resolution 2255 (2015), the Council also provided for listed individuals and entities to request exemptions from the asset freeze and the travel ban through the focal point process established pursuant to resolution 1730 (2006), and requested the Secretary-General to publish the Committee's sanctions list in all official languages of the United Nations, as well as in the Dari and Pashtu languages.

5. Both the Security Council Committee established pursuant to resolution 1988 (2011) and the Security Council Committee pursuant to resolutions 1267 (1999), 1989 (2011) and 2253 (2015) concerning ISIL (Da'esh), Al-Qaida and associated individuals, groups, undertakings and entities are supported by the Monitoring Team. The Team consisted initially of 8 experts, and the number was increased to 10 experts in resolution 2253 (2015).

6. Further background information on the Taliban sanctions regime can be found in the previous annual reports of the Committee.

III. Summary of the activities of the Committee

7. The Committee met nine times in informal consultations, on 22 February, 20 April, 1 June, 8 August, 24 and 27 October, 15 and 22 November and 9 December, in addition to conducting its work through written procedures.

8. During the informal consultations held on 22 February, the Committee heard a presentation by the Monitoring Team on its cooperation with the United Nations Office on Drugs and Crime (UNODC) pursuant to paragraph (o) of the annex to resolution 2255 (2015) and on how heroin production in Afghanistan was benefiting listed individuals and entities in breach of the asset freeze.

9. During the informal consultations held on 20 April, the Committee was briefed by the Deputy Minister of the Interior of Afghanistan, who provided an overview of the country's counter-narcotics-related efforts and of how narcotics were used by the Taliban as a resource for obtaining funds.

10. During the informal consultations held on 1 June, the Committee was briefed by the Deputy Secretary-General of the Collective Security Treaty Organization on the activities of the Organization directed against narco-trafficking. The Committee was also briefed by the Permanent Representative of Afghanistan to the United Nations and the Monitoring Team on recent changes in the leadership of the Taliban.

11. During the informal consultations held on 8 August, the Committee heard a presentation by the Monitoring Team in which the Team updated the Committee on its cooperation with UNODC and on the work of the Combined Maritime Forces in the Indian Ocean.

12. During the informal consultations held on 24 October, the Committee was briefed by the Permanent Representative of Afghanistan to the United Nations on developments concerning reconciliation with a listed individual and other developments relevant to the work of the Committee. The Committee also heard a presentation by the Monitoring Team on its seventh report (S/2016/842), submitted in accordance with paragraph (a) of the annex to resolution 2255 (2015), and discussed the recommendations contained therein, which were all subsequently agreed.

13. During the informal consultations held on 27 October, the Committee was briefed by the Secretary-General of the Shanghai Cooperation Organization on its activities concerning counter-narcotics trafficking from Afghanistan. The Permanent Representative of Afghanistan to the United Nations briefed the Committee on how narcotics were used by the Taliban as a resource for obtaining funds.

14. During the informal consultations held on 15 November, the Committee was briefed by the Special Adviser on Narcotics to the Special Representative of the Secretary-General for Afghanistan and UNODC Regional Representative for Afghanistan and Neighbouring Countries on indirect financing sources for the Taliban and selected listed individuals and entities, and the efforts of UNODC in that country.

15. From 11 to 13 November, the Chair of the Committee and of the Security Council Committee pursuant to resolutions 1267 (1999), 1989 (2011) and 2253 (2015) concerning ISIL (Da'esh), Al-Qaida and associated individuals, groups,

undertakings and entities visited Afghanistan, pursuant to paragraph 86 of resolution 2253 (2015) and paragraph 55 of resolution 2255 (2015), to meet government officials. The Chair also met with interlocutors from the United Nations and diplomatic missions and participated in a meeting of the informal joint working group on the sanctions regime under resolution 1988 (2011) in Kabul on 13 November. The Deputy Permanent Representative of Kazakhstan joined the delegation on behalf of the incoming Chair of both Committees.

16. During the joint informal consultations held with the Security Council Committee pursuant to resolutions 1267 (1999), 1989 (2011) and 2253 (2015) concerning ISIL (Da'esh), Al-Qaida and associated individuals, groups, undertakings and entities, on 22 November, the Committees were briefed by the Chair on his visit to Afghanistan from 11 to 13 November. A joint press release regarding the visit was issued on 29 November.

17. During the informal consultations held on 9 December, the Committee considered its review of individuals regarded as reconciled by the Government of Afghanistan, of those reportedly deceased and of those entries lacking the identifiers required for the effective implementation of the measures.

18. On 19 December, the Chair briefed the Security Council on the activities of the Committee pursuant to paragraph 56 of resolution 2255 (2015) (see S/PV.7844).

19. The Committee responded to two requests for guidance relating to cases of reported mistaken identity.

20. The Committee sent 17 communications to two Member States and other stakeholders with reference to the implementation of the sanctions measures.

IV. Exemptions

21. Exemptions to the asset freeze are contained in paragraphs 1 and 2 of resolution 1452 (2002), as amended in resolution 1735 (2006), and in paragraphs 17 and 18 of resolution 2255 (2015).

22. Exemptions to the travel ban are contained in paragraphs 1 and 2 of resolution 1452 (2002), as amended in resolution 1735 (2006), and in paragraphs 19 to 22 of resolution 2255 (2015).

23. The Committee did not receive any requests for exemptions to the asset freeze or travel ban.

V. Sanctions list

24. The criteria for the designation of individuals and entities as subject to the travel ban, asset freeze and arms embargo are set out in paragraphs 2 and 3 of resolution 2255 (2015). The procedures for requesting listing and delisting are described in the guidelines of the Committee for the conduct of its work and standard forms for listing and delisting are available on the Committee's website.

25. The Committee approved amendments to the list entries for 16 individuals on 21 July, 7 September and 23 December.

26. As at the end of the reporting period, there were 136 individuals and five entities on the sanctions list of the Committee.

VI. Monitoring Team

27. The Monitoring Team comprises 10 experts with broad government experience in international counter-terrorism issues.

28. On 29 December 2015, in accordance with paragraph (d) of the annex to resolution 2255 (2015), the Monitoring Team submitted to the Committee, for its approval, its planned travel plan for the period from January to June 2016. On 30 June, also in accordance with paragraph (d) of resolution 2255 (2015), the Team submitted to the Committee, for its approval, its planned programme of work and travel plan for the period from July to December.

29. On 4 October, in accordance with paragraph (a) of the annex to resolution 2255 (2015), the Monitoring Team provided its seventh report to the Committee, which was transmitted to the Security Council on 27 October and issued as a document of the Council (S/2016/842).

30. The Monitoring Team conducted two visits to Afghanistan, one as part of the delegation accompanying the Chair on his visit in November. The Team conducted visits to 14 other Member States to discuss with government officials, national experts and representatives of several international organizations the threat posed by Taliban affiliates. It also discussed measures taken by countries to implement resolution 2255 (2015). The Team travelled to Bahrain (Combined Maritime Forces headquarters) and Sri Lanka, to participate in an expert meeting organized by UNODC on narcotics smuggling in the Indian Ocean in February, and to Sri Lanka again in November to participate in the meeting of senior drug enforcement officials and the ministerial meeting of the Member States of the Indian Ocean region in November. The Team also attended the eighty-fifth session of the International Criminal Police Organization (INTERPOL) General Assembly, held in Indonesia, and the fifth Moscow Conference on International Security, as well as the fifteenth Meeting of Heads of Special Services, Security Agencies and Law-Enforcement Organizations, held in the Russian Federation. The Monitoring Team also participated in the International Civil Aviation Organization symposium on the Traveller Identification Programme and the meeting of the Facilitation Panel, held in Canada, and participated in workshops on advance passenger information organized by the United Nations Counter-Terrorism Centre and held in Jordan and Vienna. The Team also participated in the International Air Transport Association Aviation Security Forum, held in Malaysia.

31. The Monitoring Team held meetings with the incoming Chair of the Committee and incoming members of the Security Council in order to raise awareness of the Team's mandate and work.

32. In pursuance of its mandate, the Monitoring Team sent 46 letters to Member States, regional and international organizations, national entities and the Committee, through the Secretariat.

VII. Secretariat administrative and substantive support

33. The Security Council Affairs Division provided substantive and procedural support to the Chair and the members of the Committee. Advisory support was also provided to Member States to promote understanding of the sanctions regime and facilitate the implementation of the sanctions measures. Induction briefings were also provided to incoming members of the Council to familiarize them with the specific issues relevant to the sanctions regime.

34. To support the Committee in its recruitment of well-qualified experts to serve on sanctions monitoring groups, teams and panels, a note verbale was sent to all Member States on 1 December to request the nomination of qualified candidates for membership of the roster of experts. In addition, a note verbale was sent to all Member States notifying them of upcoming vacancies on the Monitoring Team and providing information on recruitment timelines, areas of expertise and pertinent requirements.

35. The Division continued to support the Monitoring Team, conducting an induction for newly appointed members and providing technical assistance in the preparation of the Team's seventh report in October. The Team also participated in the fourth annual inter-panel coordination workshop, held in New York on 6 and 7 December, organized by the Secretariat.

36. The Secretariat continued to update and maintain the Consolidated United Nations Security Council Sanctions List and the committee-specific sanctions lists in the six official languages and the three technical formats. Furthermore, the Secretariat implemented improvements concerning the effective utilization of and access to sanctions lists, including through the establishment of a search function for names on sanctions lists, the creation of lists organized by permanent reference number, in addition to those in alphabetical order, and the creation of links in list entries, as appropriate, to INTERPOL-United Nations Security Council Special Notices.